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ABSTRACT

Results of a national study of the use of funds provided by the 1974 amendments to Title VII of the Elementary and Secondary Education Act by the state education agencies (SEAs) are presented. The study was undertaken to (1) describe and analyze SEA policies and activities regarding bilingual education, (2) describe and analyze the SEA-level management structure for the coordination of technical assistance, and (3) provide information on technical management and assistance activities the Department of Education may use to help SEA grantees assist local schools in building their capacity to provide bilingual education services to language minority students. The study involved a literature review, analysis of Title VII grant applications submitted by SEAs, and case studies of the implementation of Title VII grants in nine states. The results presented in this volume include an examination of the allocation and distribution of grant funds, SEA use of grant funds, issues appearing to merit legislative or regulatory attention, including Title VII administrative procedures, service delivery, oversight responsibilities, federal guidance for SEAs, grant versus contract funding of support centers, and differential fiscal support. (MSE)

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NATIONAL CLEARINGHOUSE FOR BILINGUAL EDUCATION

DESCRIPTIVE ANALYSIS OF TITLE VII-FUNDED STATE EDUCATION AGENCY ACTIVITIES

VOLUME I

(Reference 7706-83-4690)

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The research reported herein was performed pursuant to a contract with the U.S. Department of Education. Contractors undertaking such projects under government sponsorship are encouraged to express freely their professional judgment in the conduct of the project. Points of view or opinions stated do not, therefore, necessarily represent official U.S. Department of Education position or policy.

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EXECUTIVE SUMMARY

Background

The 1974 Amendments to Title VII of the Elementary and Secondary Education Act included a provision to fund State Education Agencies (SEAs) to "coordinate technical assistance to local Title VII programs." Within this overall mission, however, the provisions were left relatively unrestrictive regarding what SEAs could or should do.

The Rules and Regulations, published in November, 1980, provide a listing of the activities SEAs are authorized to conduct and are listed below. Changes in allowable activities, as published in the Federal Register, April 9, 1984, are also noted below.

- Disseminate information pertaining to bilingual education.
- Coordinate assistance to LEAs in developing budget and funding strategies.
- Coordinate assistance to improve the assessment and use of curriculum materials.
- Disseminate information that will assist personnal funded under the act to meet state certification requirements (rescinded in 34 CFR Part 503, April, 1984).
- Coordinate the evaluation of the effectiveness of bilingual education programs.
- Coordinate assistance to improve the quality of instruction and management of bilingual education programs.
- Coordinate the selection and use of language proficiency measurement instruments.
- Coordinate assistance to improve the quality and reduce the costs of bilingual education data-gathering activities (rescinded in 34 CFR Part 503, April, 1984). (This activity could be included as an extra activity if approved in advance, as noted in last item below.)

- Coordinate the development of assessment procedures to determine LEA personnel training needs.

- Review grant applications and grantee performance of (bilingual education) elementary and secondary school programs within the state to determine need for coordination of technical assistance (new activity, 34 CFR Part 503.10(f), in 1984).

- Provide nondegree training to increase the skills of SEA personnel in carrying out their responsibilities (new activity, 34 CFR Part 503.10(i)).

- Perform other activities approved in advance by the Secretary that are designed to further the coordination of technical assistance provided.

In 1983, the U.S. Department of Education contracted with SRA Technologies to conduct a study of SEA practices. The objectives of the study were to (a) describe and analyze SEA policies and activites regarding bilingual education, (b) describe and analyze the SEA-level management structure for the coordination of technical assistance, and (c) provide information on technical management and assistance activities which the Department may use in order to help SEA grantees assist local schools in building their capacity to provide bilingual education services to language-minority students. The contract called for (a) conducting a review of pertinent literature, (b) analyzing Title VII grant applications submitted by SEAs, and (c) developing case studies of the implementation of Title VII SEA grants in nine states. Based on data from the applications and extensive on-site interviews in nine states, the following discussion highlights the findings of the study.

Allocation and Distribution of Title VII SEA Grant Funds

The amount of an SEA's Title VII grant for coordinating technical assistance is determined by criteria listed in the Title VII regulations. Each SEA is eligible for an amount up to 5% of the Title VII grants received by the local education agencies (LEAs) within the state. The size of individual grants to SEAs is roughly proportional to the states' enrollment of LEP students, although states with larger

percentages of LEP students tend to receive smaller-than-proportional grants.

Total funding for SEA projects for coordinating technical assistance was $4,445,825 for fiscal year 1981, with 43 SEAs receiving funding. In fiscal year 1982, the amount was $4,663,942, with 42 SEAs participating. In 1983, 42 SEAs received a total of $3,820,915.

Some of the states receiving SEA grants for coordinating technical assistance also receive Title VII grants to train SEA personnel. SEAs may also apply for federal assistance from sources other than Title VII. Funds from the Refugee Assistance Act, Title IV of the Civil Rights Act, the Vocational Rehabilitation Act, and Chapter 1 of the Educational Consolidation and Improvement Act may therefore supplement the SEAs' bilingual education budgets. State funding is also frequently available. We found that, to a large extent, funding from these sources is commonly used for the same SEA activities that are funded by the Title VII grants for coordinating technical assistance.

SEA Use of Title VII Grant Funds

The regulatory language associated with Title VII SEA grants encourages SEAs to coordinate the technical assistance provided by other agencies such as Bilingual Education Multifunctional Support Centers (BEMSCs). However, without exception, personnel in the nine SEAs visited for this study also act as providers of technical assistance. They reported that their highest professional priority is to answer the questions and fill the needs of the LEAs. All nine SEAs respond to requests by providing technical assistance whenever they have the capacity (e.g., time, resources). The use of BEMSCs is most often reserved for long-term commitments such as staff training or for areas of technical assistance where the SEA lacks the expertise or resources.

Legislative authority. State laws requiring services for language-minority students determine the type and extent of services LEP students will receive. States without legislation may accomplish the same objective through state board policy or through individual LEA initiative. State fiscal appropriations for bilingual education services and state bilingual education teacher certification requirements are two additional factors that define the scope and quality of services that a state will provide. Presently, of the 57 SEAs (i.e., 50 states, Washington, D.C., and six extra-state jurisdictions), 16 have state legislation which mandate special services for LEP students, 10 have laws permitting such services, and 30 do not have any laws relevant to providing services to LEP students. One state has legislation which prohibits the use of any language other than English for instruction in all schools, private, public, or parochial.

SEA capacity. The availability of financial support is a crucial aspect of SEA capacity. Often, a Title VII grant will enable a state to establish a bilingual education program office that might not have existed otherwise. This point is particularly true with SEAs that do not have state legislation requiring special services for LEP students. Similarly, the number and quality of staff can be critically affected by the presence or absence of a Title VII grant. Finally, as reported by SEA people interviewed, a Title VII grant can lend an SEA's bilingual education program office the credibility it needs to promulgate policy and provide leadership on a statewide basis.

Issues That Appear To Merit Legislative or Regulatory Attention

Allocation of funds. The nature of the funding formula for SEA grants provides a strong incentive for SEAs to help school districts apply for Title VII grants because, to the extent that these Title VII applications are successful, the SEA receives increased funding. Although this may not be a legitimate activity, it is not surprising that workshops on proposal preparation are being conducted using Title VII SEA grant monies.

Title VII administrative procedures. Many SEA staff members questioned the value of submitting proposals for SEA grants. They perceive that funding amounts are awarded by a formula rather than according to the substantive merits of the proposals. Although this perception is not entirely accurate (some LEAs receive less than the full 5%) SEA staff expressed the opinion that the processes of developing and evaluating proposals appear to be wasteful of scarce resources.

Our review of SEA applications indicated that they are largely pro forma documents. Because the system for awarding the grants is perceived as highly formalized, SEAs believe there is little incentive for them to express creative ideas or propose innovative activities. However, we did not have an opportunity to observe the negotiations that precede grant awards and it is possible that proposed activities weigh more heavily in this process than the SEAs recognize.

Service delivery. The services that SEAs actually deliver under Title VII differ in two important aspects from those that appear to be encourged by the program regulations. First, SEA personnel reported that they consider their clients to be all school districts that enroll LEP students even though many of the specific activities mentioned in the regulations suggest that they serve "programs of bilingual education funded under the Act" (i.e., Title VII). A second important departure from one interpretation of the regulations is that the SEAs use their grants to provide technical assistance, not just to coordinate it. The extent to which they provide assistance varies (apparently according to the size of the grant), but, in our sample, SEAs did more provision than coordination of assistance.

Oversight responsibilities. SEA staff members indicated that they would like to see statutory and regulatory changes that would give them greater authority over funding decisions for local applications and greater responsibility for monitoring local program implementation. We

judged this concern to be well intentioned and deserving of consideration--particularly in view of the very limited monitoring that OBEMLA is currently able to provide at the local level.

The rules and regulations, published in the Federal Register on April 9, 1984, authorize SEAs to review LEA projects, but only "for the purpose of determining the need to coordinate technical assistance to these programs." SEA respondents voiced a desire for a more substantive role in project monitoring activities.

Federal guidance for SEAs. Several interviewees expressed a wish for more frequent contact with OBEMLA. They would like to be more promptly informed of the Title VII grants to local districts in their states than they have been in recent years. While they know which LEAs submitted application for funding (since review of applications is a required SEA activity), they claim they learned about which LEAs were successful through "the grapevine," sometimes never receiving official notification. Final negotiated contract amounts and other details had to be obtained from the LEAs. SEAs also wished that they would be better informed of OBEMLA monitoring visits to districts in their states, and would welcome more extensive feedback from OBEMLA on their own performance.

Grant versus contract funding of support centers. The recent shift from BESCs, funded by grants, to BEMSCs, funded by contracts, has occasioned many problems. At present, the BEMSCs can only provide services explicitly defined in their contracts. They cannot conduct workshops, for example, on topics that have emerged as new areas of need--unless they go to the trouble of obtaining formal modifications in their contracts. This lack of flexibility has reduced the usefulness of BEMSCs as assistance providers, according to our SEA informants. However, since BEMSCs are in their first year of operation, the validity of this judgment remains to be tested.

Differential fiscal support. Fiscal support for SEAs is currently based on a simple percentage of the LEA grants in the state. This type of Title VII support clearly favors states that have large numbers of LEA grants. The April, 1984, regulations state: "The actual amount to an SEA is based on the need to coordinate technical assistance provided by other agencies." However, this statement is preceded by "within this limit (5% of the total amount paid to LEAs)." States with few LEA grants receive too little money to mount comprehensive efforts. Particularly in states where there is little state-level commitment to the education of LEP students, some minimum funding level is required to reach the "critical mass" where an appropriate level of services can be provided.

This argument was voiced most strongly by SEA personnel in states that receive less than $25,000 for coordinating technical assistance. However, their perception of need extends beyond coordinating technical assistance to elementary and secondary schools that are carrying out or proposing to carry out programs of bilingual education assisted under the Act. The common perception of the function of SEA Bilingual Education Offices is to coordinate and to provide technical assistance to all schools that may request their services. This perception is shared by most SEA personnel interviewed during the course of this study.

I. OBJECTIVES OF THE STUDY

In 1983 the U.S. Department of Education contracted with SRA Technologies to conduct a study of state educational agency (SEA) practices under Title VII grants to SEAs for coordinating technical assistance. With these grants, SEAs are authorized to coordinate assistance to local projects in the field of bilingual education that receive funds under Title VII. The objectives of the study, as they appeared in the Statement of Work, were as follows:

(a) To describe and analyze SEA policies and activities regarding bilingual education, including a synthesis of the most salient provisions of current state legislation and its relation to federal legislation that addresses language minority limited-English-proficient (LM-LEP) students (ESEA Title VII, Title I, etc.).

(b) To describe and analyze the SEA-level management structure which has been implemented as a result of Title VII grants to respective SEAs, including the SEAs' personnel, technical assistance knowledge base, methods of delivering technical assistance, budgetary expenditures (e.g., use of federal and other funds), and information dissemination structures.

(c) To provide information on technical management and assistance activities which the Department may use in order to help SEA grantees to assist local schools to build their capacity to provide bilingual education services to LM/LEP students.

The remainder of this report comprises six sections. These sections describe activities undertaken to conduct the study, relevant aspects of the Title VII program background, the state legislative context for Title VII-funded SEAs, the allocation and use of SEA funds under Title VII, our analysis of study findings, and implications of our results.

II. STUDY ACTIVITIES

To meet these objectives, the Department of Education asked SRA and its subcontractor, Policy Studies Associates, to (a) conduct a review of pertinent literature, (b) analyze Title VII grant applications submitted by SEAs, and (c) develop case studies of the implementation of Title VII SEA grants in nine states. This study was not intended to identify "promising practices" nor to evaluate the effectiveness of SEA activities under Title VII.

This section of the report describes the activities we carried out in this study. It discusses the methods used and notes the limitations associated with them.

Literature Review

This study began with a search for literature pertaining to SEA activities in bilingual education. The efforts included reviewing existing bibliographies on bilingual education, conducting searches of computerized libraries and abstracting services, and examining the contents of bilingual education texts and journals.

The review of literature produced little that could be used in this study. Most of the sources generated by computerized searches dealt with the general topic of state vs. federal authority or with court cases that have had an impact on the field of bilingual education. Most materials dealing with SEAs were either dated or not directly relevant to the study's focus. For example, State Education Agencies and Language-Minority Students, published by the National Center for Education Statistics in 1978, while informative, contains data from 1974-75 and does not deal with Title VII-funded SEA activities. Similarly, Supporting Volume III of A Study of State Programs in Bilingual Education entitled Inventory of Bilingual Education Provisions in State Legislature, prepared by Development Associates, Inc. in 1977, is now dated.

Two sources were useful, however. The Center for Applied Linguistics' Bilingual Education Series No. 9: The Current Status of Bilingual Education Legislation (Gray, Convery & Fox, 1981) contains a review of state legislative specifications. A more current publication--used extensively in this study--was Guide to State Education Agencies 1981-82, published by the National Clearinghouse for Bilingual Education.

Review of SEA Grant Applications

We reviewed all SEA applications for Title VII grants for coordinating technical assistance in 1983-84. For SEAs in their second or third year of funding under one grant, the 1981-82 and 1982-83 applications were reviewed. Also reviewed were files from a 1982 Monitoring Instrument for Review of State Education Agency Projects, conducted by OBEMLA. Most of the information provided by SEAs in this survey was also found in their Title VII grant applications. Findings of our analysis were reported in detail in an earlier report submitted to OBEMLA, An Analysis of SEA Title VII Grant Applications and Related Documents, February 15, 1984. Highlights of that report appear in this volume.

Two instruments were developed for the purpose of collecting information from the applications. The first, "SEA Title VII Grant Application Information Retrieval Form," was designed to document SEA activities. A second instrument was designed to document state legislative requirements and teacher-certification criteria; however, since very few state applications included information on these topics, this instrument could no be used in our review.

Although the grant applications served their intended purpose of demonstrating that the applicants should receive funding, they were not ideally suited to this study's purposes. Applicants were not required to provide comprehensive descriptions of the activities they would carry

out under Title VII funding. Therefore, SEAs may be doing many things that they did not mention in their applications, and they may not be doing some of the things that they did mention. Nevertheless, the applications provided at least a rough idea of SEA activities and priorities.

The information collected from SEA grant applications was analyzed by (a) level of funding under this program, (b) number of LEP students in the state, and (c) type of state legislation. Analysis by the first variable, level of funding, also provides a close approximation of the results that would be obtained in an analysis by total level of Title VII funding (basic and demonstration grants) for school districts in the state, since the SEA typically receives a grant amounting to 5% of the total of local grants. Similarly, the analysis by total LEP enrollment in the state approximates the results that would be obtained by focusing on Title VII Basic Grants project enrollments.

Analysis by year of SEA program operation was also considered, since SEAs receive grants for periods of one, two, or three years. In 1983, when 42 SEAs received grants, 20 SEAs received one-year awards; two SEAs were in the first year of two-year awards; one was in the second year of a two-year award; six are in the first year of three-year awards; six in the second of three; and seven in the final year of three-year awards. These states are identified in Appendix A. However, year of SEA program operation is not a critical factor affecting SEA activities, as are type of legislation, level of funding, and number of LEP students.

Nine SEA Case Studies

The last and most intensive phase of data gathering for this study was a series of site visits to SEAs to coallect first-hand information on their activities, priorities, and needs. The Office of Bilingual Education and Minority Languages Affairs selected the nine SEAs that

were to be studied. The nine SEAs, as a whole, encompassed the following characteristics:

- high, medium, and low level of Title VII funding;
- high, medium, and low numbers of LEP students;
- states with mandatory, permissive, or no bilingual education legislation;
- local education agency (LEA) bilingual programs for a variety of ethnic groups (e.g., Puerto Ricans, Cubans, Mexican-Americans, French, Greeks, Vietnamese, Native Americans, Laotians, Cambodians); and
- inclusion of various geographical areas of the United States.

The SEAs voluntarily participated in the study, and other SEAs expressed a desire to be included. Due to funding and scheduling restrictions, no additional SEAs could be accommodated.

Before the site visits began, a standard outline was developed for the case studies, indicating what information should be collected across the states. All the researchers participated in a two-day workshop dealing with the study's objectives and the use of the case study outline. Each of the nine SEAs was visited by a two-member team of researchers. Interviews were conducted with the State Superintendent or Associate Superintendent; the director of the state bilingual education office; his or her entire professional staff; his or her immediate supervisor; and the heads of cooperating departments such as evaluation, migrant education, or refugee programs.

Two LEAs in each state were visited, where possible, to ask local bilingual education program directors about their interactions with the SEA. In the two states that have only one Title VII LEA program each (Virginia and Kansas), that LEA was visited. In some cases, interviews with LEA staff were conducted by telephone.

Each SEA had an opportunity to comment on a draft report dealing with its activities. The SEAs' comments have been used in developing the final case study reports that constitute Volume II of this document.

Limitations of the Study

The study has certain limitations as an investigation of the activities of SEAs under Title VII-funded programs of technical assistance coordination. First, as mentioned above, the SEA applications reviewed do not include all that an SEA may do. Second, while the information collected and reported in the case studies is much more comprehensive, readers are cautioned against generalizing in a quantitative way to all SEAs. By design, the SEAs selected for this study represent a variety of characteristics. Thus, a pattern observable in, say, six of the nine SEAs would not necessarily be found in two-thirds of all funded SEAs. However, the diversity of the SEAs visited does mean that generalizations drawn from all of them are likely to hold true across much of the program.

Finally, this study has not been an evaluation of the quality of services the SEAs provide. The SEAs' evaluation reports generally document that the proposed activities were carried out, but few, if any, deal with the quality of these activities. SEAs claim not to have the resources to conduct evaluations that would measure the effects of their activities.

III. PROGRAM BACKGROUND

Civil Rights and Title VII

The educational inequities facing national origin/minority group students were exposed to public scrutiny by a series of reports done by the Office for Civil Rights in the late 1960s. Evidence of discrimination against language-minority students in the nation's public school systems was documented. Extreme dropout rates, high grade retentions, and a severe academic lag characterized hundreds of thousands of language-minority students.

The Civil Rights Act of 1964, Title VI, stated that:

> No person in the United States shall, on the grounds of race, color, or national origin, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any program or activity receiving Federal financial assistance.

The Office for Civil Rights (OCR) began conducting compliance reviews and issued, on May 25, 1970, a memorandum (HEW, 35 FR 11595) to clarify how Title VI applied to national origin/minority students. This memorandum stated that:

> When ability to speak and understand the English language excludes national origin-minority group children from effective participation in the educational program offered by a school district, the district must take affirmative steps to rectify the language deficiency in order to open its instructional program to these students.

A conclusive legal civil rights proclamation addressing the rights to equal education of language-minority students was made by the U.S. Supreme Court's decision of 1974 known as Lau vs. Nichols. This unanimous decision said:

> There is no equality of treatment merely by providing students with the same facilities, textbooks, teachers, and curriculum; for students who do not understand English are effectively foreclosed from any meaningful education.

The federal government, through the Department of Education, became directly involved in the education of national-origin minority students when in 1968 the Bilingual Education Act was passed as Title VII of the Elementary and Secondary Education Act. Title VII provides funds for teacher training, basic and demonstration grants to LEAs, development and dissemination of bilingual instructional materials, and the maintenance of a technical assistance network. Funding has ranged from $7.9 million in 1969 to $158.6 million in 1981, with $139.3 million being proposed for fiscal year 1985.

Title VII Authority

The 1974 Title VII amendments included a provision to fund SEAs. The regulations specifying what SEAs may do with Title VII funding have been relatively unrestrictive, within the overall mission of coordinating assistance to local programs of bilingual education funded by Title VII. SEAs have been allowed to engage in one or more of the following activities or to conduct "other activities approved in advance by the Secretary as designed to further coordination of technical assistance to programs of bilingual education funded under the act" (34 CFR Part 503.10(j), November, 1980; April, 1984):

- Disseminate information pertaining to bilingual education.
- Coordinate assistance to LEAs in developing budget and funding strategies.
- Coordinate assistance to improve the assessment and use of curriculum materials.
- Disseminate information that will assist personnel funded under the act to meet state certification requirements (rescinded in 34 CFR Part 503, April, 1984).

- Coordinate the evaluation of the effectiveness of bilingual education programs.
- Coordinate assistance to improve the quality of instruction and management of bilingual education programs.
- Coordinate the selection and use of language proficiency measurement instruments.
- Coordinate assistance to improve the quality and reduce the costs of bilingual education data-gathering activities (rescinded in 34 CFR Part 503, April, 1984). (This activity could be included as an extra activity, if approved in advance, as noted in last item below.)
- Coordinate the development of assessment procedures to determine LEA personnel training needs.
- Review grant applications and grantee performance of (bilingual education) elementary and secondary school programs within the state to determine need for coordination of technical assistance (new activity, 34 CFR Part 503.10(f), in 1984).
- Provide nondegree training to increase the skills of SEA personnel in carrying out their responsibilities (new activity, 34 CFR Part 503.10(i)).
- Perform other activities approved in advance by the Secretary that are designed to further the coordination of technical assistance provided.

State education agencies have the liberty to choose the coordinating activities that meet their states' needs best. Among the important determinants of these needs is the existence or absence of state legislation requiring or permitting particular types of educational projects for language-minority students. Accordingly, a review of state legislation was part of this study, and the findings of that review are presented in the section that follows.

IV. STATE LEGISLATIVE CONTEXT FOR TITLE VII-FUNDED SEAs

Although a bilingual program may be federally funded and follow federal policies, it must still abide by state laws. Since school districts must follow both federal and state regulations when implementing bilingual programs, the areas of congruence or difference between federal and state laws are important.

State laws governing bilingual education programs share two goals: (a) to develop English language skills, and (b) to provide an equal educational opportunity to LM/LEP students. They differ, however, in the types of program options local districts may provide, language assessment requirements, teacher qualification requirements, levels of funding, and other areas.

To indicate the diversity of legislation among states, this section presents a discussion of legislative requirements pertaining to four bilingual education components. These components are: (a) instruction, (b) staffing, (c) parent/community involvement, and (d) funding and oversight. An overview of all states' legislative requirements, as they pertain to minority language student evaluation, is found in Appendix B. The information summarized in this appendix was obtained from Guide to State Education Agencies 1981-82 (1982), published by the National Clearinghouse for Bilingual Education, and Bilingual Education Series #9: The Current Status of Bilingual Education Legislation (Gray, Convery, & Fox, 1981).

Instruction

State bilingual education legislation is characterized as mandatory, permissive, or prohibitory. States explicitly mandate, permit, or prohibit bilingual education, or have no statutes defining their role in bilingual education. Currently, 12 states and one U.S. territory have legislation that mandates bilingual education; another 12

states and one U.S. territory have legislation that permits it. Twenty-five states, the District of Columbia, and four territories have no statutes regarding bilingual education. One state (West Virginia) prohibits teaching in a language other than English.

Instructional Approach

A wide variety of instructional programs is mandated or permitted by state statutes. These include transitional bilingual education, English as a second language (ESL), immersion, and language maintenance programs.

Twenty-two states and two U.S. territories have legislation for transitional bilingual education programs. These include the 12 states and one U.S. territory that mandate bilingual education. In a transitional program, LM/LEP students receive instruction in their native language and are also taught English language skills. Once they achieve proficiency in English, they are placed in English-only classes.

Thirteen of the states with transitional bilingual programs also have legislation for ESL programs. In an ESL program, the student is taught English grammar and sometimes communication skills as well. South Dakota, which has permissive bilingual education legislation, has a provision for English language mastery (oral and written communications).

Another state with permissive bilingual education (Rhode Island) has a provision for immersion programs in addition to transitional and ESL programs. In an immersion program, English is the main language of instruction. Students' acquisition of English language skills is emphasized over first language development.

Alaska (with mandatory bilingual education legislation) has a provision for language maintenance programs in addition to transitional and ESL programs. A language maintenance program includes first language development, second language acquisition, and subject matter development in both the first and second languages. Utah and New Mexico (with permissive bilingual education legislation) have provisions for language maintenance programs in addition to transitional and ESL programs. American Samoa, which permits bilingual education, has a provision for language maintenance programs in addition to transitional programs.

Nine states and two U.S. territories have a provision for the inclusion of a cultural component. Seven of these states and one U.S. territory have mandatory bilingual education legislation. Two other states (Iowa and Michigan, both with mandatory legislation) have a provision for multicultural education. Bilingual education programs with a multicultural component encompass instruction on the customs and history of the target language minority groups.

California, Alaska, and Wisconsin, states that mandate bilingual education, as well as Oregon and Utah, have provisions requiring the development of an outline of methodology for program implementation. The five states require their school districts to outline various combinations of (a) the goals and objectives of the bilingual programs, (b) the criteria for entering and exiting a bilingual program, (c) student/teacher ratios, (d) a description of the services planned for LM/LEP students, (e) teacher/staff requirements and qualifications, (f) staff training, (g) material requirements, (h) community participation, (i) student assessment, and (j) evaluation of the bilingual program.

Student Assessment

Once schools have identified students with a primary language other than English, the next step is to determine their English proficiency.

Fifteen states and one U.S. territory require the determination of LEP status. Of these, nine states and one U.S. territory mandate bilingual education. Non-English-speaking students are more easily identified than LEP students. In the case of LEP students, linguistic, cultural, and academic considerations are used. These include criteria such as being "culturally different," performing poorly in the mainstream curriculum, or falling below a certain percentile on an English language standardized achievement test.

Twelve states require tests for determining students' eligibility to enter a bilingual program and to assess whether progress is sufficient to warrant transfer into an English-only classroom. Of these, seven states mandate bilingual education. Utah, which permits bilingual education, requires that students be tested only when entering a bilingual program. Michigan (with mandatory bilingual legislation) has a provision for students to exit the program at the end of three years. School districts generally use state-designated instruments or other district-approved instruments to assess LM/LEP students' English proficiency. Assessment of English language proficiency includes understanding, speaking, reading, and writing. Most states require only the assessment of students' listening and speaking ability in English, although many experts would argue that determining whether a student is ready to exit from a program is best accomplished when all ability areas are measured.

Classroom Composition

Ten states, seven with mandatory bilingual education legislation, prohibit student segregation. One such state, California, stipulates the following about bilingual classroom composition: "Not more than two-thirds nor less than one-third of the pupils shall be pupils of limited-English-proficiency" (Gray, Convery, & Fox, 1981, p. 29). Other students are to be fluent in English--in fact, they may include students whose primary language is English. Ten states, nine with mandatory

bilingual education legislation, stipulate voluntary participation of monolingual English speakers. These states, however, specify that priority be given to LEP students. The educational treatment of English-speaking students in bilingual programs is stated in general terms in bilingual education statutes. Cross-cultural understanding among LM-LEP and fluent English speaking (FEP) students and proficiency in a second language by FEP students are two common goals of programs which permit the participation of English proficient students.

Bilingual Teaching Staff

Most states prescribe minimum standards for bilingual teachers and, in some cases, for other staff (e.g., instructional aides, administrators, counselors) participating in bilingual programs. Eleven states have established specific certification requirements for bilingual classroom teachers: Alaska, California, Connecticut, Illinois, Massachusetts, Michigan, New Jersey, New Mexico, New York, Texas, and Wisconsin. Of these, New Mexico and New York have permissive bilingual education legislation.

Teachers in bilingual programs generally hold regular teaching credentials. In addition, most states require teachers to have a bilingual-crosscultural certificate or a credential in bilingual education. Teachers must also demonstrate proficiency in the student's primary language, familiarity with the cultural heritage of the LM/LEP students, and knowledge of bilingual education teaching methods. Where there is a shortage of qualified teachers, the legislation generally allows for exemptions and encourages innovative approaches such as team teaching.

Because a lack of qualified bilingual teachers is a problem in establishing bilingual education programs, most states have made legislative provisions for staff training. Six states have legislation that provide financial assistance to develop bilingual staff: Alaska,

Arizona, California, Illinois, Texas, and Utah. Of these, Arizona and Utah have permissive bilingual education legislation.

Staff training varies in methods, content, and expected outcomes. Such training may be an in-service training workshop, a classroom demonstration in an exemplary program, an institute, or a degree program. Bilingual teacher aides, for example, are to be provided the opportunity to enroll in a career ladder program leading to a teaching credential or certificate of competence in bilingual education. Massachusetts, which mandates bilingual education, has a provision for payment of outside tuition costs and/or out-of-district transportation costs.

Massachusetts and Wisconsin have specific requirements for administrators of bilingual programs. Generally, administrators need to be certificated bilingual teachers and possess the experience and skills needed to oversee the operation of a district's bilingual program.

Parent/Community Involvement

Fourteen states and one U.S. territory have provisions for parent/community involvement in bilingual programs. Of these, nine states and the one territory mandate bilingual education. State statutes stipulate that committees be established at the district or school level to provide a vehicle for parent and community participation in bilingual programs. Committee members are either elected or appointed. Some states have specific provisions for committee membership; for example, that committees are to consist primarily of parents of children in bilingual programs. Generally, parent/community committee members participate at all levels of the bilingual program: planning, implementation, and evaluation. Districts, in turn, may be required to provide adult education programs for the parents and community members.

Arizona, Iowa, Massachusetts, and Utah have provisions for the use of community coordinators. Generally, community coordinators serve as a liaison between the community and the school.

Thirteen states and one U.S. territory require parental consent for the enrollment of students in bilingual programs. Of these, nine states and the one territory mandate bilingual education.

Funding and Oversight

Sixteen states have legislation that makes state funds available for bilingual instructional programs. Of these, nine mandate bilingual education. State funds may be used for the following purposes: the employment of bilingual teachers and instructional aides; purchasing and developing bilingual teaching materials; in-service training for teachers, aides, and parents; health services provided to students; census of LEP students; and bilingual program evaluation.

Eleven states, nine of which mandate bilingual education, require that bilingual education legislation be enforced. School districts are to comply with state statutes and with the requirements of state or federal categorical aid funds allocated on the basis of LEP educational needs.

Nineteen states require yearly evaluation of students in bilingual programs. Of these, 12 states mandate bilingual education. Generally, an annual evaluation assesses the educational needs of LEP students and determines the extent to which their needs are being met.

Relationship Between State Legislation and SEA Title VII Grant Size

Table 1 presents the states among the Title VII SEA grantees in which the state legislatures have (a) enacted laws requiring that LEP students receive special services geared to their language-related

needs or (b) approved the expenditure of state funds for such services. In this and several subsequent tables, states are shown in order of the size of their SEA grant for coordinating technical assistance. To permit comparison among states with varying grant sizes, we have clustered states in four groups. States in Group 1 received grants ranging from $861,446 to $495,613. Grants to Group 2 states ranged from $141,446 to $72,205. Grants to Group 3 states were $68,028 to $21,977. Group 4 states had grants ranging from $17,739 to $3,000.

Not surprisingly, given their sizeable LEP populations, the three states in Group 1 have all enacted laws and approved special funding. In Groups 2 and 3 a little over half the states have enacted laws, approved funding, or both. In Group 4, however, only 2 of the 12 states have taken either action.

Table 1

State Laws and State Funding Programs That Aid LEP Students in States Receiving Title VII SEA Grants

State	Requirement for Provision of Special Services to LEP Students[a]	Availability of Special State Funds for Services to LEP Students[a]
Group 1:		
New York	X	X
California	X	X
Texas	X	X
Group 2:		
Michigan	X	X
Arizona		
Florida		
Oklahoma		
New Mexico		X
Massachusetts	X	X
New Jersey	X	X
Colorado		X
Montana		

(continued)

Table 1 (continued)

State	Requirement for Provision of Special Services to LEP Students[a]	Availability of Special State Funds for Services to LEP Students[a]
Group 3:		
Louisiana		
Illinois	X	X
Washington	X	X
Hawaii		
Utah		X
Connecticut	X	
South Dakota		
Pennsylvania		
Oregon		
Tennessee		
Rhode Island	X	X
Ohio		
Minnesota		X
Alaska	X	X
North Carolina		
Puerto Rico		
Wisconsin	X	X
Iowa	X	
Group 4:		
Indiana	X	
Trust Territories		
Wyoming		
Maryland		
Nevada		
Maine		
Vermont		
Idaho		
Virginia		
Kentucky		
Kansas		X
Georgia		

[a]Based on data presented in "An Analysis of SEA Title VII Grant Applications and Related Documents" (Mountain View, CA: SRA Technologies, Inc., February, 1984).

V. ALLOCATION AND USE OF SEA FUNDS UNDER TITLE VII

In this section, we present our findings regarding the implementation of the program of SEA grants for coordinating technical assistance. First, we describe the allocation of these Title VII grants among SEAs, highlighting the relationship between grant size and the size of the state's LEP enrollment. Second, we report on the other funds that SEAs use for purposes related to this program. Third, we present a description of the SEA activities carried out under the program. This description, based on the review of grant applications and on the case studies that appear in Volume II of this report, includes discussion of the differences and similarities among SEAs in their activities under the program. The differences are analyzed further in the next section of the report.

Allocation and Distribution of Title VII SEA Grant Funds

The amount of an SEA's Title VII grant for coordinating technical assistance is determined by the amount of Title VII funds received by the local education agencies (LEAs) within the state.[1] The SEA grant may equal up to 5% of the Title VII funds awarded to LEAs located within the state's boundaries.

Table 2 presents the amounts of the Title VII grants awarded to SEAs for coordinating technical assistance during the 1983-84 school year. Recall that we have clustered states in four groups according to the size of their grants, as shown in this table.

[1]In this discussion, "states" will include U.S. territories, possessions, and the District of Columbia, since all are eligible to receive Title VII SEA grants.

Table 2

States Receiving Title VII SEA Grants
for Coordinating Technical Assistance

State	Amount of Title VII SEA Grant[a]	Proportion of Title VII SEA Funds[b]
Group 1:		
New York	$861,314	22.5%
California	753,600	19.7
Texas	495,613	13.0
	2,110,527	55.2%
Group 2:		
Michigan	141,446	3.7
Arizona	124,241	3.3
Florida	102,110*	2.7
Oklahoma	91,434	2.4
New Mexico	88,793	2.3
Massachusetts	87,141	2.3
New Jersey	79,889	2.1
Colorado	78,827*	2.1
Montana	72,205	1.9
	866,086	22.8%
Group 3:		
Louisiana	68,028*	1.8
Illinois	65,350	1.7
Washington	59,850	1.6
Hawaii	55,189	1.4
Utah	54,586	1.4
Connecticut	53,262*	1.4
South Dakota	48,433	1.3
Pennsylvania	36,661	1.0
Oregon	35,559	0.9
Tennessee	34,522	0.9
Rhode Island	31,281	0.8
Ohio	30,913	0.8
Minnesota	30,804	0.8
Alaska	27,824	0.7
North Carolina	24,004	0.6
Puerto Rico	23,079	0.6
Wisconsin	22,639	0.6
Iowa	21,977	0.6
	723,961	18.9%

(continued)

Table 2 (continued)

State	Amount of Title VII SEA Grant[a]	Proportion of Title VII SEA Funds[b]
Group 4:		
Indiana	$17,739	0.5%
Trust Territories	17,370	0.5
Wyoming	14,294	0.4
Maryland	14,072	0.4
Nevada	12,393	0.3
Maine	11,025	0.3
Vermont	9,160	0.2
Idaho	7,852	0.2
Virginia	4,724	0.1
Kentucky	4,538	0.1
Kansas	4,174	0.1
Georgia	3,000	0.1
	120,341	3.2%
Total:	$3,820,915	

[a]Amount awarded for use in 1983-84 school year.

[b]Indicates each state's percentage of total Title VII funds for SEA coordination of technical assistance. No state exceeds the limit specified in the regulations (5% of the total amount paid to LEAs within the state).

In column 2, the figures from column 1 have been converted into percentages, indicating each state's share of Title VII SEA funds for coordinating technical assistance. The most significant feature of these data is the concentration of LEP students and Title VII SEA grant funds in a handful of states. The three states with the largest SEA grants (Group 1) receive 55% of all SEA grant funds, and the 12 states with the largest SEA grants (Groups 1 and 2) receive 78% of all SEA grant funds. At the other end of the list, the 12 states with the smallest grants (Group 4) receive only 3% of the total SEA grant funds.

Other Funding Used to Augment SEA Budgets

Before describing how SEAs use their Title VII grants for conducting technical assistance, we should note that the use of these grants is typically coordinated with other SEA activities in bilingual education, which draw on several funding services. To the extent feasible in this study, we have looked into the other funding available to SEAs for purposes related to this program.

A subset of the states receiving SEA grants for coordinating technical assistance also receive Title VII grants to train SEA personnel. Table 3 shows the eight states receiving these grants. An examination of these grant amounts does not indicate any particular funding pattern among the states in our four groups. Indeed, the largest SEA training grant ($111,744) goes to New York, which is the state receiving the largest SEA grant for coordinating technical assistance; and the second largest grant ($95,616) goes to Indiana, a state included in Group 4 because of its small ($17,739) SEA grant for coordinating technical assistance. Because the implementation of the SEA training grants has not been a particular focus of this study, we cannot report on the implications of these allocations for the overall pattern of Title VII funding to SEAs.

The amount of money SEA bilingual education offices receive from all other sources was not documented in their grant applications, but we gathered data on this topic in the nine SEAs visited. Table 4 shows the sources and amounts of funding used in concert with Title VII grants. We must caution, however, that in some cases SEA personnel had difficulty sorting out the funding sources and amounts earmarked for bilingual education activities, since some SEA offices of bilingual education have responsibility for refugee or desegregation concerns, ESL and foreign language education, migrant education, or educational equity. It was still more difficult for SEA personnel to distinguish which funding sources and amounts they use for Title VII-related bilingual education activities.

Table 3

States Receiving SEA Training Grants

State	Amount
Group 1:	
New York	$111,744
Group 2:	
New Jersey	43,217
Group 3:	
Illinois	62,658
Hawaii	49,500
Oregon	35,100
Alaska	19,600
Wisconsin	35,000*
	201,858
Group 4:	
Indiana	95,616
Total:	$452,435

*includes carryover funds

Table 4

SEA Funding Other Than Title VII

	Source of Funds	Amount
Arizona	Title IV	$110,000
	State	60,000
	Refugee Assistance Act	1,000
	Total:	171,000
Connecticut	State	25,000
Florida	—	—
Kansas	State	director's salary
Louisiana	Refugee Assistance Act	2,340
	State	32,000
	Total:	34,340
New York	Title IV	236,497
	Vocational Rehabilitation	115,142
	State	100,000
	Chapter 1	116,187
	Total:	567,826
Virginia	State	12,300
Washington	State	1/3 director's salary 1/3 secty. salary
	Refugee Assistance Act	1 FT consultant salary
Wisconsin	State General Fund	1 professional position

Description of SEA Use of Title VII Grant Funds

An expectation that SEAs receiving Title VII funds restrict their role to that of coordinating activities (as opposed to providing technical assistance) and focus their services exclusively on programs receiving Title VII funds (or proposing to carry out programs assisted under the Act) would greatly limit the SEAs' stature as perceived by their constituents. Of the 10 activities listed in the regulations (April, 1984), seven start off with the word coordinating. The three exceptions are: (a) reviewing grant applications, (b) providing non-degree training to SEA personnel, and (c) performing other activities approved in advance. All 10 allowable activities make reference to "programs of bilingual education assisted under the Act" as being the recipients of SEA services.

The section on Service Delivery, page 60, makes reference to the issue of technical assistance provision versus coordination from a structural point of view. Here the issue is more of a pragmatic concern. SEA bilingual office staff see limited-English-speaking students as the beneficiaries of their activities. They do not distinguish among students from programs funded by federal, state, or local sources. Similarly, if an SEA has the capacity (e.g., time, resources) to provide technical assistance in response to a request, it will respond. BEMSCs and other support agencies are utilized, but in many cases an SEA can deal with a request more efficiently by not delegating further. SEAs claim that there are numerous requests for technical assistance that simply cannot wait. An abundance of anecdotes were provided where a school district not receiving Title VII funds would call an SEA for help, claiming that they had one or more non-English-speaking students in their office and were at a loss as to what to do.

SEAs are reluctant to coordinate technical assistance requests when they themselves are able to respond. One reason, as mentioned above, is

that responding directly is efficient. Another is the SEAs' desire to keep abreast of needs and services within their state. Secondly, SEAs expressed a desire to follow through periodically after assistance had been provided. This is easier to do, they claim, if they are the providers of technical assistance and not just the coordinators. Use of BESCs or BEMSCs is reserved for long-term commitments such as staff training or specialized technical assistance where SEAs lack the expertise or resources.

The range of activities performed by SEAs is quite varied. Tables 5 through 16 expand each of the categories of activities listed on pages 8 and 9 of this report into subactivities. Not all SEAs perform each and every activity listed since, as mentioned above, an SEA's context influences the operations of their respective bilingual education office. The activities or items most common and popular in Title VII-funded SEAs are noted with an asterisk in the following tables.

Table 5a

Dissemination of Information

SEAs coordinate services to LEP students with the following departments and programs:

Chapter I
*Chapter I, Migrant
Chapter II
*Refugee Act of 1980 Program
Vocational Education
Library Services and Construction Program
Adult Education
Gifted and Talented Education
Follow Through
Guidance and Counseling
Health Education
Basic Skills Improvement
Youth Employment
Special Education
Bureau of Indian Affairs
School Equity Programs
Title IV
Research and Evaluation Section

Table 5b

Dissemination of Information

SEAs coordinate activities with the following support agencies:

*Bilingual Education Service Centers
Materials Development Centers
*Evaluation and Dissemination Assistance Centers
LAU Centers
Bilingual Education Multifunction Support Centers
County Offices of Education, Bilingual Education Division
Regional Support/Service Centers
Institutes of Higher Education
*National Origin Desegregation Assistance Centers
National Clearinghouse for Bilingual Education
Intercultural Development Research Association (IDRA)

Table 5c

Dissemination of Information

SEAs coordinate services/activities with the following interest groups:

State Bilingual Education Association (e.g., CABE, MABE)
National Association for Bilingual Education (NABE)
Ethnic community group association(s)
State parent organization

Table 5d

Dissemination of Information

SEAs rely on the following approaches to disseminate information:

*Telephone
Newsletter
County Bilingual Education Directors Meeting
BESC/EDAC Directors Meeting
Workshops for LEAs
SEA presentations at LEA board meetings
National Bilingual Education Conference (NABE)

Table 6

Budget and Funding Technical Assistance

SEAs provide budget and funding technical assistance by doing the following:

*identify funding sources
*identify funding sources and interpret program requirements
encourage LEAs and other agencies (e.g., potential BESCs and IHEs) to apply for funds
*review LEA applications/proposals
*provide workshops for application/proposal writing
present alternatives to federal funding by identifying private charitable organizations
present innovative uses of staffing patterns
present ways of using community, parent resources
coordinate interdepartmental funding for LEP student services
review/approve LEA applications seeking reimbursement for extra expenses of bilingual education
encourage Title VII projects, state bilingual projects, IHEs to share common activities and costs (e.g., staff training)

Table 7

Materials Development

SEA activities in materials development include the following:

activities limited to coordination efforts among materials development centers and other support agencies
involved in assessing materials produced by others
involved in coordinating materials assessment activities
have produced the following materials:

-proposal writing guide
-interpretations of legal requirements
-project management guides
-theoretical framework for bilingual education
-instructional guide
-parent and community involvement guide
-evaluation guide

engaged in producing testing instruments
engaged in producing resource materials
engaged in translating resource materials
engaged in translating testing materials
engaged in translating instructional materials

Table 8

Teacher Certification

SEAs provide technical assistance in the area of bilingual education teacher certification by doing the following:

*respond to credentialing requirements inquiries from the field
present research and findings from data gathering activities to law-making bodies
interpret state teacher certification legal requirements into educational policy
coordinate certification efforts with the state teacher licensing and credentialing department
coordinate testing activities with IHEs, county offices of education, and/or other testing units
coordinate training efforts with EDACs, BESCs, and IHEs

Table 9

Evaluation Technical Assistance

SEAs provide evaluation technical assistance by doing the following:

*provide interpretation of Title VII evaluation requirements
provide evaluation handbook/guide
provide workshops on bilingual education program evaluation
*coordinate EDAC/BESC evaluation technical assistance
provide actual program evaluation technical assistance
*review LEAs' evaluation plans
provide in-service for teachers, project directors on student achievement record keeping
provide LEAs with list of recommended program evaluators
provide LEAs with list of approved testing instruments
provide LEAs with standard evaluation model
develop testing instruments where commercial products are unavailable
translate testing instruments as needed

Table 10

Monitoring

The following activities apply to SEA monitoring:

*considers monitoring to be the responsibility of OBEMLA
monitors for compliance purposes
monitors to identify exemplary projects
*monitors to identify needs
monitors new starts only
monitors to assess personnel needs

Table 11

Instructional Technical Assistance

SEAs provide instructional technical assistance as follows:

develop bilingual curricular program to match state requirements
develop a minimal skills requirement program
develop a cultural instructional component
provide in-services for bilingual education teachers on teaching strategies
coordinate BESC/EDAC workshops re: instructional methodology
coordinate IHE training/in-service
provide in-service on ESL methodology
coordinate in-services on ESL methodology
provide in-service on transition of LEP students
provide workshops on instructional techniques for monolingual teachers working with LEP students

Table 12

Management Technical Assistance

SEAs provide management technical assistance by conducting the following activities:

*conduct workshops regarding Title VII legal program requirements
*conduct workshops regarding teacher certification requirements
conduct workshops for program directors to broaden managerial skills
*disseminate information gathered at OBEMLA management conference
disseminate information regarding successful management techniques
develop a theoretical framework for bilingual education
coordinate management technical assistance with BESCs, EDACs (multifunction support centers)
coordinate information flow regarding management activities

Table 13

Language Proficiency Technical Assistance

SEAs provide language proficiency technical assistance as follows:

develop testing instruments used to assess IHE bilingual education trainers' language proficiency
coordinate the selection of testing instruments used to assess IHE 'bilingual education trainers' language proficiency
*coordinate the selection of testing instruments used to assess the language proficiency of LEP students eligible for bilingual education services
coordinate the selection of testing instruments used to assess the languge proficiency of personnel employed in bilingual education programs
develop testing instruments used to assess the language proficiency of personnel employed in bilingual education programs
develop testing instruments used to assess the language proficiency of LEP students eligible for bilingual education services

Table 14

Research

SEA research activities include the following:

- conduct research to produce theoretical framework for bilingual education
- conduct research regarding first language acquisition
- conduct research regarding second language acquisition
- conduct research regarding teaching style
- conduct research regarding learning styles
- conduct research regarding sociocultural factors
- coordinate research conducted by other support agencies
- commission research to outside consultants

Table 15

Data Gathering

SEAs are involved in the following data gathering activities:

- coordinate data gathering activities among BESC, EDAC, LAU centers and other support agencies
- conduct language census
- collect enrollment data
- compile fiscal information
- gather data regarding staffing patterns
- collect test scores
- collect information regarding compliance issues
- collect evaluation reports from LEAs
- conduct demographic projections
- gather information concerning special projects, demonstration projects and exemplary instructional features
- *coordinate surveys to determine technical assistance needs
- compile refugee student population information
- compile statistics on students who exit bilingual education programs

Table 16

Parent/Community Involvement

The following activities comprise SEAs' involvement in parent/community involvement:

conduct workshps on parent/community involvement
coordinate workshops presented by BESC or other support agency
coordinate interdepartment services for parents of LEP students
produce parent/community involvement guide/handbook
*respond to legal questions concerning parent's rights in bilingual education
translate materials for use by parent organizations
inform parents of educational changes, innovations, and requirements
solicit parent/community counsel and input in bilingual education policy matters

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SEAs were asked to list their priorities for the near future. States, reflecting on recent demographic changes or their own program strengths and weaknesses, volunteered the information found in Table 17. A formal needs assessment was not conducted. The information provided by SEAs through the course of interviews was spontaneous, often expressed with frustration over their inability to move forward due to circumstances beyond their control.

Table 18 lists SEAs' opinions regarding their most and least effective activities. Like the list of priorities mentioned above, the information reported was provided by SEA interviewees in a spontaneous manner and is limited to the nine SEAs visited.

Table 17

Priorities for 1984-85 As Seen By Individual SEAs

Arizona:	Provide more technical assistance Emphasize LEA program improvement Emphasize LEA capacity building Emphasize LEA program evaluation Emphasize more teacher training
Connecticut:	Implement standard state evaluation system Emphasize more technical assistance Emphasize more monitoring Emphasize teacher certification Emphasize parent participation
Florida:	Emphasize data gathering activities Emphasize parent participation Emphasize technical assistance Add one more staff person
Kansas:	Adopt state plan for bilingual education Develop guidelines for state plan Increase level of Title VII funding
Louisiana:	Emphasize research Emphasize data gathering activities
New York:	Emphasize special education Emphasize LEA program evaluation Emphasize Native American education Promote bilingualism philosophy
Virginia:	Increase coordination among LEAs and Title VII support network
Washington:	Emphasize data collection activities Emphasize dissemination of information
Wisconsin:	Emphasize teacher training Emphasize Native American education Increase level of Title VII funding

Table 18

Most and Least Effective Title VII-Funded SEA Activities
As Seen By Individual SEAs

Arizona

Most Effective:
- technical assistance provided with use of Program Quality Review Instrument (PQRI)
- evaluation workshops

Least Effective:
- data gathering activities

Connecticut

Most Effective
- technical assistance for proposal writing
- intermediary between LEAs and ED, Washington
- dissemination of information
- advocate for LEP student rights

Least Effective:
- authentic parent/community participation

Florida

Most Effective:
- coordination of technical assistance
- technical assistance for proposal writing
- dissemination of information

Least Effective:
None

Kansas

Most Effective:
- disbursement of state funds

Least Effective:
- efforts to have state bilingual education legislation passed

Louisiana

Most Effective:
- coordination of technical assistance

Least Effective:
- public relations within state
- stimulating IHE interest in bilingual education

New York

Most Effective:
- institutionalized changes on behalf of LEP students
- state funding formula
- teacher certification requirements

Least Effective:
- monitoring of Title VII-funded LEA projects due to lack of authority

Table 18 (continued)

Virginia	
Most Effective:	- annual bilingual education conference sponsored by SEA
Least Effective:	- use of resource library on bilingual education and ESL (Note: no cost is incurred in maintaining library since all items housed are donated by publishing companies.)
Washington	
Most Effective:	- institutionalized changes on behalf of LEP students - coordination of technical assistance - technical assistance provided to refugee programs
Least Effective:	- the provision of specialized technical assistance which is compounded by geographical constraints
Wisconsin	
Most Effective:	- technical assistance activities
Least Effective:	- adequate technical assistance to LEAs with low LEP student numbers

SEA Application Features

The analysis presented here is described more fully in an early report of this project, "An Analysis of SEA Title VII Grant Applications and Related Documents" (February, 1984). To perform that analysis, SEA grant applications were reviewed for the 1983-84 school year and certain types of information were extracted from each application. These categories of information on SEA resources and grant activities were compared in several ways, including comparisons based on (a) size of SEA grant, (b) state enrollment of LEP students, and (c) the presence of state legislation on special services to LEP students. The work on this activity was hindered by the fact that there was no way of assessing the

accuracy and comprehensiveness of the applications. For this reason, the omission of an activity description (e.g., dissemination of bilingual education information) by a state could not be taken to mean that the activity was not implemented but only that it was not explicitly described in the application.

These limitations constrained the ability to draw conclusions from the SEA application data. In general, however, the review of SEA applications suggested that the SEAs with the largest Title VII grants tended to undertake the most activities utilizing the most SEA resources (such as other SEA personnel and funds). SEAs with smaller grants, especially SEAs in our group 4, tended to target their Title VII activities in a very few areas. Several noteworthy exceptions or variations to this pattern were observed, however, as described below.

The following tables list 12 major categories of SEA involvement. Each category comprises many individual activities as shown in Tables 5a-16. Tables 19, 20, and 21 show the number of activities under each major category that an SEA, in each group (by level of funding, level of LEP enrollment, and type of legislation) reported in its grant application.

Table 19 shows that SEAs with a high level of funding indicate a higher degree of involvement in materials development and parent involvement activities. This group also indicated more activities per SEA than the other three groups who received less funding, in the following categories: (a) evaluation, (b) management, (c) language proficiency testing, and (d) data gathering. SEAs who were next to last in level of funding (group 3) indicated more activities per SEA in instructional technical assistance.

When comparing SEAs according to level of LEP enrollment, group 1, with the highest number of enrollment, again receives a higher rating on responses per SEA in the following categories:

- materials development;
- evaluation technical assistance;
- language proficiency testing technical assistance; and
- parent involvement.

Under instructional technical assistance, group 1 receives the lowest rating, with group 4 the highest, as can be seen in Table 20.

Looking at responses per SEA according to type of bilingual education legislation (i.e., mandatory, permissive, none), group 1 receives the highest ratings in the following categories:

- dissemination of information;
- materials development;
- evaluation technical assistance;
- management technical assistance; and
- parent involvement.

Group 2 receives a rating slightly higher than group 1 on instructional technical assistance and data gathering activites, as shown in Table 21.

Coordination with other SEA programs. SEAs in Group 1 were less likely to report coordination with other SEA programs (e.g., Chapter 1 Migrant, vocational education, Title IV civil rights program, and migrant education) than were SEAs in Groups 2 and 3. This difference may reflect the fact that SEAs with smaller grants need to draw on the resources of other SEA offices in order to achieve their goals, while the larger grants in Group 1 make the bilingual education offices in those SEAs more self-sufficient.

Coordination with bilingual education support agencies. SEAs in Groups 2 and 3 were more likely to report coordination with bilingual support agencies (e.g., Evaluation and Dissemination Assistance Centers, Multifunctional Service Centers, Title IV Lau Centers) than were SEAs in Group 1. As in the example cited above, this tendency may reflect the greater capacity of the Group 1 SEAs to provide a wide range of services with little outside aid.

Workshops as the prevalent means of disseminating information. In all funding groups, SEAs were most likely to report the use of LEA workshops as their primary method of disseminating information, as contrasted with the use of newsletters and other dissemination channels.

Most technical assistance in management and fiscal areas. In all funding groups SEAs were most likely to report that they coordinated or provided technical assistance in management or fiscal areas (e.g., possible funding sources for local bilingual education programs). They were less likely to report that they coordinated or provided technical assistance in instructional areas (e.g., curriculum). The exception to this pattern was the high incidence of SEA coordination or provision of technical assistance related to language assessment.

SEAs with state legislation provide more Title VII services. Our analysis of SEAs with and without state laws mandating special services to LEP students indicated that SEAs that had such laws were likely to provide a wider range of services than were other SEAs. Two factors could account for this finding—(a) SEAs with state laws tend to have larger Title VII grants and so could be expected to implement more activities (see Table 1), and (b) SEAs with state laws probably receive greater encouragement from the public, interest groups, and the legislature to conduct bilingual education activities (probably the same kind of encouragement that prompted enactment of the legislation). Our analysis did not determine whether these SEA activities were carried out in greater depth in the states that had state laws.

These points are discussed in light of our case study data in the section that follows.

Table 19

Number of Responses per SEA by Category and by Level of Funding

	Group 1	Group 2	Group 3	Group 4
Dissemination of Information	1.33	1.75	1.67	1.33
Coordination with support agencies	2.00	2.50	1.72	1.33
Coordination with interest groups	.66	.13	.77	.08
Forms of information dissemination	1.66	2.25	1.39	1.25
Budget and Funding Technical Assistance	3.00	2.13	1.22	.75
Development of Materials	6.00	1.00	1.56	1.00
Teacher Certification	2.33	1.63	1.33	.50
Evaluation Technical Assistance	3.69	.63	.61	.83
Monitoring	2.67	2.00	1.61	1.33
Instructional Technical Assistance	.67	1.00	2.11	1.00
Management Technical Assistance	3.00	1.38	2.06	.92
Language Proficiency Technical Assistance	3.33	1.50	1.33	.92
Research	.33	0	0	0
Data Gathering	2.00	1.00	.78	.17
Parent/Community Involvement	2.33	.63	.22	.17

Note. Group 1 SEA funding ranged from $495,000 to $891,314 (n = 3).
Group 2 SEA funding ranged from $72,205 to $141,446 (n = 8).
Group 3 SEA funding ranged from $21,977 to $68,028 (n = 18).
Group 4 SEA funding ranged from $3,000 to $17,739 (n = 12).

Table 20

Number of Responses per SEA by Category
and by Level of LEP Enrollment

	Group 1	Group 2	Group 3	Group 4
Dissemination of Information	1.33	3.00	2.59	1.45
Coordination with support agencies	2.00	2.75	1.76	2.00
Coordination with interest groups	.66	.13	1.50	.18
Forms of information dissemination	1.66	2.13	1.06	1.55
Budget and Funding Technical Assistance	3.00	2.63	1.59	1.64
Development of Materials	6.00	1.38	1.41	.82
Teacher Certification	2.33	1.63	1.00	.45
Evaluation Technical Assistance	3.69	1.00	.71	.64
Monitoring	2.67	2.13	1.53	1.45
Instructional Technical Assistance	.67	1.25	1.53	1.73
Management Technical Assistance	3.00	1.75	1.12	1.91
Language Proficiency Technical Assistance	3.33	1.38	1.29	1.09
Research	.33	0	0	0
Data Gathering	2.00	1.38	.88	.27
Parent/Community Involvement	2.33	1.25	.35	.27

Note. Group 1 SEA level of LEP enrollment ranged from 116,746 to 257,061 (n = 3).
Group 2 SEA level of LEP enrollment from 11,368 to 44,332 (n = 8).
Group 3 SEA level of LEP enrollment from 2,027 to 8,803 (n = 17).
Group 4 SEA level of LEP enrollment from 60 to 1,651 (n = 11).
LEP enrollment data was not available for two extra-state SEAs.

Table 21

Number of Responses per SEA by Category and by Legislative Type Group

	Group 1	Group 2	Group 3
Dissemination of Information	3.43	1.44	1.74
Coordination with support agencies	1.92	1.88	1.89
Coordination with interest groups	.43	.11	.53
Forms of information dissemination	1.64	1.78	1.11
Budget and Funding Technical Assistance	2.5	1.67	1.32
Development of Materials	2.5	.89	1.00
Teacher Certification	1.43	1.11	.95
Evaluation Technical Assistance	1.64	.56	.53
Monitoring	2.0	1.67	1.26
Instructional Technical Assistance	1.21	1.44	1.89
Management Technical Assistance	2.64	1.22	1.11
Language Proficiency Technical Assistance	1.50	1.33	1.21
Research	.07	0	0
Data Gathering	1.21	1.44	.32
Parent/Community Involvement	1.5	0	.32

Note. Group 1 has mandatory bilingual education legislation (n = 14), group 2 has permissive bilingual education legislation (n = 9), and group 3 has no legislation addressing specific educational services for limited-English students (n = 19).

VI. ANALYSIS OF STUDY FINDINGS

The previous section of the report presented our observations concerning the distribution and implementation of the SEA grants. In this section, we analyze those findings in two ways. First, we discuss the state-level factors that affect the way in which each state uses its grant. These factors, many of which involve the characteristic needs of school districts in a particular state, are important reasons for the diversity that we observed in SEA activities. Second, having discussed this diversity and some reasons for it, we turn to issues in program implementation that are common to all or most of the SEAs visited.

State-Level Factors Affecting Implementation of Title VII Grants

In analyzing data collected during this study, we examined the state-level factors influencing the implementation of Title VII grants for coordinating technical assistance. These factors tend to cluster in three groups—factors related to the particular needs of the LEP students in each state, factors related to administrative and legislative action taken by each state government, and factors related to the capacity of the SEA.

Factors Related to the Educational Needs of LEP Students

In each state we visited, the needs expressed by LEAs are a major determinant of SEA activities. SEA staff, in interviews, expressed a strong desire to meet the needs that characterize their states. Although none of the needs discussed here is particularly susceptible to influence from the federal level (barring major changes in national policy), this discussion indicates how the implementation of Title VII SEA grants is affected by LEA needs for technical assistance. Our information drawn from site visits and other data suggests that four factors are particularly important in shaping local needs—(a) the number of LEP students in the state, (b) the concentration of LEP

students, (c) the variety of languages spoken by the state's LEP students, and (d) the extent of the LEP students' proficiency in English. Each of these factors is discussed here.

Number of LEP students. We observed that high LEP enrollments create particular types of needs for technical assistance to LEAs. These needs include the following:

- Need for in-service training approaches for use with bilingual education teachers, ESL teachers, and teachers who have no background in ESL or bilingual education but who have LEP students in their classes;

- Need for assistance in recruiting and screening teachers of bilingual education and ESL;

- Need for assistance in selecting and implementing appropriate curriculum materials; and

- Need for effective approaches to informing and involving parents of LEP students in their children's educational program.

In its role as coordinator of technical assistance, the SEA in a state with high LEP enrollments becomes a focal point for questions and inquiries from LEAs that have needs such as these. States with large numbers of LEP students are likely to have more and larger Title VII grants to LEAs than states with lower LEP enrollments. The amount of Title VII LEA grants in turn directly increases the state's Title VII SEA grant due to the formula allocation for SEAs. Thus, higher LEP enrollment in a state translates (more or less) into greater Title VII SEA resources.

At the same time, however, we found that in states with high LEP enrollments the LEAs tend to draw on other Title VII resources besides SEAs. For example, LEAs with Title VII grants have the following:

- Federal dollars that can defray some of the extra costs incurred in establishing a bilingual education program;

- Access to all parts of the Title VII assistance network, including the Multifunctional Support Centers, the Evaluation and Dissemination Assistance Centers, and other components—which they can contact withut going through the SEA.

High LEP enrollments also often translate into another type of resource—political support for bilingual education in the state capital. Indeed, this relationship can be inferred from Table 1, which shows that the four states with the largest LEP enrollments each have state laws requiring special services to LEP students and state funding for the support of such services at the LEA level. Conversely, states with low LEP enrollments are much less likely to have enacted either type of provision assisting LEP students.

From the SEA's perspective the overall level of LEP enrollment is thus clearly a factor that shapes its responsibilities and activities.

LEAs with highly concentrated student assignment patterns, where most LEP students attend a few schools, tend to require technical assistance that reflects more advanced, established bilingual programs. For example, LEAs tend to be concerned with the following:

- Refining their assessment and placement services for LEP students;
- Improving the transition of students from the bilingual program to the regular curriculum; and
- Identification, assessment, and services for LEP students with handicaps.

By contrast, the LEAs in which LEP students are dispersed among many schools are more likely to provide ESL services to LEP students,

possibly using itinerant teachers who each provide instruction to a few students in several schools. These LEAs are less likely to need assistance in the fine points of bilingual education programming and more likely to need help in areas such as the following:

- In-service training of regular teachers in ESL instruction;
- Approaches to the use of volunteers and paraprofessionals in the delivery of ESL and bilingual education services; and
- Selection of self-teaching materials for use by LEP students.

States in which there are varying concentrations of LEP students experience varying technical assistance needs to which SEAs must respond. New York is an example, having both urban LEAs with highly concentrated enrollments of LEP students and rural LEAs with dispersed LEP enrollments.

Variety of languages spoken. A third factor affecting the needs to which SEAs respond under their Title VII grants is the diversity of languages spoken in the state. In states where one language, most often Spanish, is the primary language of most LEP students, SEAs need only to maintain capabilities for coordinating technical assistance relevant to that language. In states with large LEP enrollments in many languages, we were told that the SEA must maintain some degree of expertise in the needs of each language group.

In the states that we visited, we heard reports of major technical assistance needs in two language groups other than Spanish—Indochinese languages and Native American languages. These two languages are characterized by rather different technical assistance needs, however. Students whose primary language is an Indochinese language tend to be recent immigrants with very little English proficiency. Because of the shortage of (a) bilingual education teachers proficient in these

languages and (b) appropriate curriculum materials, SEAs in states serving large numbers of Indochinese students report that they have been required to take a variety of special steps. For example, in Virginia, where Vietnamese is the predominant language among LEP students, the SEA commissioned the development and publication of a "Guide for Educators of Vietnamese LEP Students." The SEA reported that the guide is widely used by LEAs throughout the state.

In states where there are many students from Native American language backgrounds, LEAs experience very different kinds of needs. Because most of the students from Native American backgrounds are dominant in English, in most cases bilingual instruction focuses primarily on teaching the Native American language. As reported by respondents in Arizona and New York, these local programs often prompt technical assistance requests such as the following:

- Approaches to in-service training of paraprofessionals who are proficient in the Native American language but inexperienced in the classroom;

- Suggestions for curriculum materials for use in Native American programs; and

- Suggestions for language proficiency tests in the Native American language.

LEP students' proficiency in English. States that are major ports of entry for immigrants, such as Texas, Florida, New York, and California, tend to enroll a high proportion of LEP students who have virtually no familiarity with English. We were informed that LEAs in such states tend to require technical assistance in training approaches and curriculum applicable to intensive ESL instruction. They also tend to need assistance in implementing comprehensive achievement testing of students in their primary language for placement purposes.

We were told that in states whose LEP students have been in the U.S. longer, LEAs' technical assistance needs tend to focus on (a) integration of the bilingual program with the regular curriculum, (b) transition of students from the bilingual program to the regular curriculum, and (c) design of follow-up services for students who have made the transition to the regular curriculum.

Factors Related to State Actions

SEA implementation of Title VII grants for coordinating technical assistance is also affected by actions taken in the state capital. Because these actions affect the needs for technical assistance experienced by LEAs and the resources available for providing local instructional services, state actions affect implementation of the SEA Title VII grant in several ways. For discussion purposes these state actions may be grouped into three categories—(a) enactment of state laws requiring the provision of special educational services to LEP students, (b) enactment of state laws authorizing and appropriating funds to support the provision of special services to LEP students, and (c) issuance of state certification (or endorsement) requirements for bilingual education and ESL teachers. Each of these actions is described more fully here. For the SEA, local responses to a state law requiring services to LEP students can affect its work in several ways:

- LEAs are less likely to request technical assistance for initiating a program and more likely to need help in the development of established programs;

- LEAs often need technical assistance in understanding and complying with state law and in understanding any overlaps with Title VII and Title IV of the Civil Rights Act; and

- LEAs are likely to need technical assistance in extending the benefits of bilingual education to all LEP students in their districts, even those enrolled in schools with low LEP enrollments.

Although the degree of state enforcement of any state law is obviously important in determining the effectiveness of a law of this type, the existence of a state law is itself a factor in shaping SEA actions.

State laws providing funds for special services to LEP students. The availability of state funding has two primary effects on the operations of a state Title VII unit. First, the state categorical funds make it easier for LEAs to mount special services for LEP students because they do not have to rely solely on local revenues and on Title VII support. Indeed, the availability of state funds may actually make it easier for an LEA to obtain Title VII funds because the state funds can be used to initiate and develop the LEA's bilingual program, thus making it more likely to score highly in a Title VII grants competition.

The presence of state funding for services to LEP students also affects the SEA by raising the expectations of LEAs that their projects will be monitored by state officials. If an LEA expects its state-funded project for LEP students to be monitored, then it will also expect the SEA to monitor its Title VII project.

SEAs in states with special funds for LEP services appear to receive more requests for technical assistance than do other states. The reasons are that (a) there are likely to be more LEAs carrying out bilingual education and ESL projects in the state and (b) the Title VII districts, which also have special state funds, are likely to run larger projects than they would otherwise operate. This larger overall volume of projects generates a larger volume of requests for technical assistance.

Bilingual and ESL certification requirements. In states where services to LEP students must be provided by certified (or endorsed) bilingual education and ESL teachers, we were informed that LEAs are likely to turn more frequently to the SEA for recruiting and staffing assistance. This effect is not seen clearly, however, in states like

Louisiana that have bilingual certification standards on their books but do not require that bilingual certified teachers be used to provide instruction to LEP students.

The effect of bilingual certification requirements seems to be similar to the effect of state laws mandating special services to LEP students. Like those laws, bilingual and ESL certification requirements appear to enlarge the SEA's role in the provision of assistance to LEAs.

For the SEA Title VII unit, the existence of certification requirements tends to translate into three types of technical assistance requests:

- Requests for interpretation of legal certification requirements (including information on waivers, certifying agencies, timetables, and penalties for non-compliance);
- Requests for help in recruiting qualified teachers; and
- Requests for help in training current teachers who might be able to obtain bilingual or ESL certification.

Because of the key role played by IHEs in the training and certification process, the existence of certification requirements increases the participation of those institutions in the communication and collaboration occurring among the SEA, LEAs, and the various assistance providers.

Although activities related to teacher certification are important at the state level, the April, 1984 Title VII regulations declared such activities to be ineligible for federal Title VII support. The introduction to the new regulations states, "These final regulations delete the activity . . . because dissemination of information on state certification requirements for teachers of bilingual education is more

properly a state function and does not constitute the type of coordination activity for which federal funds are made available under the Act."

Factors Related to SEA Capacity

In our site visits and other data-collecting activities, we observed a third class of factors that affect the activities conducted under Title VII SEA grants for coordinating technical assistance; these factors reflect the capacity of the SEA bilingual office. We investigated two relevant aspects of capacity—funds and staffing.

Funds. In our study, we observed that the wide variation across SEAs in their level of funding affected the extent and nature of their activities. This was true of the funding available for bilingual education from the state itself as well as the Title VII funds available to the SEA. For example, some SEAs have recently curtailed employee travel, thus reducing opportunities for delivering on-site technical assistance. Travel outside the state has been even more vulnerable to blanket cuts by state budget authorities, thereby limiting SEAs' ability to coordinate assistance resources on a regional basis. SEAs reported that they are relying more heavily on telephone interactions than in the past and less heavily on face-to-face interactions at conferences, seminars, and workshops. In several states visited, SEAs have virtually eliminated the publication of newsletters on special topics, such as bilingual education.

Staffing. The number of staff members associated with the SEA office of bilingual education is probably the most important determinant of the SEA's level of services in bilingual education. The availability of enough staff enhances technical assistance and permits state involvement in various optional SEA activities such as curriculum and test development.

SEAs and the bilingual offices within them vary widely in staff size. New York, with an overall SEA staff in the thousands, has 23 professionals in its office of bilingual education. Other states have only a hundred or so professionals in the entire SEA; even if such a state has a sizeable proportion of LEP students, all its state functions in bilingual education must be carried out by two or three staff members. With such limited staff, an SEA can have little detailed knowledge of program operations at the local level, and it has a limited capacity for the more specialized activities that could support local service delivery. Such an SEA does fewer things in bilingual education than its larger counterparts, and it does them less thoroughly.

Many SEAs in our sample have been affected by state-level hiring freezes (which apply to all positions, including federally funded ones). These SEAs report that they are unable to use their Title VII grants to increase their staffing, although they would like to do so.

Besides depending on adequate numbers of staff, SEA activities in bilingual education also depend on the skills that staff members possess. Two classes of skills are particularly important—process skills and content skills. Technical assistance demands process skills in providing effective help with educational program improvement. All activities in bilingual education depend on content skills, including skills in such specialized domains as testing, curriculum, teacher preparation, research, and the like.

In site visits, we found that the existence or absence of a separate office of bilingual education in the SEA was a factor associated with the level of content skills available for activities under the Title VII grant. Such an office is most likely to exist in states with sizeable federal grants (either because of the size of the grant or because of state programs for LEP students). In the states lacking such an office, the Title VII grant may be housed in an office that deals primarily with foreign-language instruction, for example. Thus the

staff carrying out grant activities may not include specialists in services to LEP students.

Issues Arising Across SEAs

Despite their diversity, the activities of SEAs under Title VII grants for coordinating technical assistance bring into focus a number of issues pertaining to the program as a whole. For the convenience of readers, the issues identified are grouped according to the relevant aspects of federal program design or administration, namely: allocation of funds, administrative procedures for SEAs, service delivery, SEAs' oversight responsibilities, federal guidance provided, and the overall system of assistance provision in bilingual education.

Allocation of funds. The nature of the funding formula for SEA grants provides a strong incentive for SEAs to help school districts apply for Title VII grants. The incentive is this: to the extent that these Title VII applications are successful, the SEA is eligible to receive increased funding. Thus the formula encourages SEAs to use their federal grant funds to help districts obtain other federal grants. SEA staff frequently reported in interviews that they offer workshops on applying for Title VII grants and that they coordinate or provide help to individual districts that are preparing such applications. They also reported that their needs assessments show a high degree of local interest in learning about federal funding. While the districts' requests for help contribute to the level of SEA activity related to Title VII grant applications, it is important to recognize that the funding formula for SEA grants represents a powerful incentive affecting the SEAs' enthusiasm for this activity.

An advantage of the formula for funding is that it allows SEAs to find out a year in advance how much Title VII funding they are eligible to receive. From the SEA standpoint, this advance notice is useful for planning.

Some SEA staff express the view that the formula should be adjusted to award more funds to SEAs in states where the amount of local Title VII funding is small—that is, to place a floor under the minimum SEA funding level. The argument for this policy change is that an SEA receiving only, say, $5,000 can do little with such a small amount of funding. On the other hand, the SEAs in our sample that receive the smallest amounts of funding do not seem to be wasting what they receive.

Administrative procedures. Some respondents in SEAs question the usefulness of submitting applications to ED for their funding under this program. They argue that funds are awarded by a formula rather than according to the substantive merits of the proposals. In the SEAs' view, the processes of developing proposals in the SEAs, reviewing proposals in ED, and negotiating grants do not affect the quality of program activities and therefore represent a poor use of resources. They further point out that the required annual updates consume considerable staff time, with the result that this program in effect demands a yearly application. Their preferred alternative would be to receive a formula allocation in exchange for a minimal application, perhaps consisting only of a set of assurances.

Service delivery. The services that SEAs deliver under this program differ in two important respects from the array of services encouraged in the program regulations. First, SEA personnel generally define their clients as all school districts that enroll LEP students, not just the districts currently receiving Title VII grants. Although the regulations suggest that most types of SEA services be provided to "programs of bilingual education funded under the Act," SEAs do not share the apparent assumption that they should use their grants primarily to serve current Title VII grantees. Services to unfunded districts take three major forms in this program:

- helping districts to obtain Title VII grants is a major SEA activity under this program;

- SEAs reportedly help unfunded districts with the problems associated with small LEP populations and recent influxes of immigrants; and

- SEAs also say that they can help districts that have lost Title VII funding but that experience continuing needs for technical assistance.

A second important departure from the SEA role implied by the regulations is that the SEAs use their grants to provide technical assistance, not just to coordinate it. When a district calls to request information or help, the inclination of SEA staff members is to provide it. We observed that fielding these phone calls and responding helpfully to them is one of the highest priorities for all the SEA offices visited. In many instances, they have the staff capacity to provide the information or assistance themselves; in others, they refer the callers to other sources of help such as the BEMSCs, Lau Centers, IHEs, or other school districts in the state.

SEAs' oversight responsibilities. Perhaps because SEAs traditionally act as regulators and monitors in education in their states, their limited authority over local Title VII grantees is a source of frustration to many SEA respondents in this study. They would like to see statutory and regulatory changes that would give them greater authority over funding decisions for local applications and greater responsibility for monitoring local program implementation. Their limited authority and responsibility in these areas are especially frustrating to SEA staff because they already carry out certain activities in application review (for Title VII grants and state funds) and program monitoring (for state programs).

Some respondents observed that they think ED should make greater use of the SEA comments on local applications for Title VII funds. However, several SEAs do not forward to OBEMLA their comments on applications reviewed. Aside from legal requirements, which are themselves not

that clear, SEAs reported that it is to their disadvantage to report to OBEMLA any faults they may have uncovered during LEA grant application reviews. One reason, they said, is that LEAs usually have an opportunity to correct faults cited. Therefore, if OBEMLA were to receive a critique of the LEA application, the LEA could conceivably be ill-served if in fact the LEA corrected the faults the SEA documented.

SEA personnel also mentioned that they do not want to assume the role of proposal reader for OBEMLA. They said, "Why should we catch mistakes that they [proposal readers for OBEMLA] might miss?" SEAs recognize the benefits derived from LEA programs that are funded by the federal government. A federally funded LEA bilingual education project contributes to the aggregate level of state services for LEP students and raises the funding ceiling for the SEA itself.

The issue of program monitoring is another problem area. In the course of reviewing documents, a letter and a memo written by OBEMLA staff members contradicted each other regarding the policy governing program monitoring. The memo explicitly said that SEAs are not to monitor, that OBEMLA has the sole responsibility for monitoring. The letter informed another SEA that the SEAs are authorized to conduct monitoring activities.

SEA personnel view their visits to districts as a good opportunity for monitoring, and they think ED should take advantage of SEAs' oversight activities. Under the SEA Title VII grants, SEA staff visit districts to provide assistance and make recommendations for improvement, but some of them believe that their recommendations are not heeded because they have no regulatory authority over these projects. In addition, where there are state programs for LEP students, SEA staff may make monitoring visits to districts that have Title VII grants, but their authority is limited to matters related to the state programs.

Federal guidance for SEAs. A number of respondents expressed a wish for more frequent communication from ED. They would like to receive information and feedback in several areas. For one, they would like to receive lists of the Title VII grants to local districts in their states and in neighboring states. (They now have to canvass a state in order to find out who has received grants.) If they had such lists, and especially if a brief description of each district's project could be provided, they would be able to put district staff in touch with their counterparts who are operating similar projects or facing similar needs.

SEA staff would also like to be informed when ED makes monitoring visits to districts in their states. This would permit them to coordinate their own monitoring efforts and to follow up with assistance to the districts visited by ED.

Finally, grantees under this program say that they would welcome more feedback from ED on their own performance. Such feedback, it seems, would not only help them capitalize on their strengths and correct their weaknesses, but could also improve morale by giving them more contact with ED.

It should be noted that SEA grantees do not want ED to provide so much guidance that it further limits their activities under this program. The latitude allowed for SEAs' own professional judgment and priorities appears to be considered a strength of this program.

The overall system of technical assistance. As coordinators and providers of technical assistance, SEA staff are in a position to observe strengths and weaknesses of the federally funded network of assistance providers. As might be expected, their observations vary by region, by the local needs they perceive, and by their own individual viewpoints. However, a few comments emerge across several SEAs.

The recent shift from BESCs, which are funded by grants, to BEMSCs, which are funded by contracts, has occasioned many problems. At present, the BEMSCs cannot provide services not explicitly mentioned in their contracts—such as workshops on topics that have newly emerged as areas of need—unless they go to the trouble of obtaining formal modifications in their contracts. SEA staff say that this has greatly reduced the usefulness of BEMSCs as assistance providers. They say that flexibility is an important characteristic of a good assistance system, and that the shift to contracts has markedly lessened flexibility in this system.

More broadly, some respondents commented that the overall system of multiple assistance resources sometimes leads to duplication of effort. Parallel efforts in materials development may go on in two organizations simultaneously. Local school districts may receive in-service training from different providers that overlaps in content but lacks coordination and therefore is less effective than it should be. Thus the capacity of the overall system to coordinate assistance is apparently sometimes swamped by the sheer amount of assistance available to and used by school districts.

VII. IMPLICATIONS OF RESULTS

Our study of SEA activities under Title VII has led us to several conclusions about directions for program improvement under this grant authority. In this section we present these conclusions in response to three questions: What goals form the basis for federal support to SEAs under Title VII? What steps could SEAs take in fulfillment of these goals? How could the federal government encourage and assist SEAs in taking these steps?

Goals of Title VII Support to SEAs

Our analysis suggests that the current legislative goals of Title VII grants to SEAs are still perceived as valid and important in states and districts. As stated in Title VII regulations, that goal is to enable SEAs "to coordinate technical assistance to programs of bilingual education funded under the Act within their states." Local recipients of Title VII grants need a place they can go to obtain help in improving their educational services to LEP students. Because the Title VII assistance network includes many providers of help, Title VII grantees need a knowledgeable resource that can help them determine exactly what their needs are and which assistance provider (or providers) is most likely to be able to provide help.

The need for an intermediary between LEA and provider grows out of several special characteristics of bilingual education. Most importantly, bilingual education is an especially difficult educational technique to implement. It requires an instructional approach tailored to the particular language capabilities of each different group of LEP students. Pre-packaged curricula, for example, can work only if they are adapted to the needs of each group of LEP students and if they are implemented by highly trained teachers who are themselves fluent in at least two languages. Moreover, the students needing bilingual education generally exhibit serious educational needs, which are occasioned by

their inability to communicate effectively in English and (sometimes) their lack of familiarity with the U.S. culture.

Given these challenges inherent in the provision of educational services to LEP students, it is not surprising that many types of institutions have developed capacities to assist LEAs in areas related to bilingual education. (There are political and bureaucratic reasons for this proliferation of service providers, too, but the effect of the proliferation is more important here than are the reasons for it.) Moreover, these assistance providers are scattered across the country and so cannot be expected to make their services known to every LEA that might need their assistance.

Under these circumstances, it is reasonable that technical assistance coordinators should be designated under Title VII. It is also reasonable that SEAs should be the agencies designated to play such a role. This function is consistent with the responsibilities imposed on SEAs by other programs authorized under the Elementary and Secondary Education Act and also with SEAs' continuing roles in educational improvement and school reform.

Beyond this, our study suggests that some or all SEAs have the capacity to address additional goals that could be adopted in this program of technical assistance coordination. First, the program regulations could explicitly encourage SEAs to serve all school districts that enroll LEP students, rather than stating that the goal is service to "programs of bilingual education funded under the Act." As detailed elsewhere in this report, LEAs that do not have Title VII grants—or that formerly had Title VII grants—often have greter needs for technical assistance than do Title VII grantees.

Second, the SEA role could be extended explicitly to that of providing technical assistance as well as coordinating assistance. Our data show that the professional staff in SEA bilingual offices can

answer many of the questions that arise in local programs. When the capacity to provide answers and assistance exists in an SEA, the SEA staff believe it would be inefficient to refer the request to another assistance provider (who may be located in a different state). In fact, the SEAs do not hesitate to provide help themselves. A third and broader possible goal for the program would be to provide incentives for states to assume greater responsibility for the provision and improvement of educational services to LEP students. In states where bilingual education is a federal program only, our SEA respondents believe that LEP students are unlikely to receive the scope and quality of services they need. SEA offices of bilingual education could take a role like that of OBEMLA, which is the "central point of contact both to coordinate the administration of discrete programs of bilingual education, as well as to provide guidance for other programs in the department that impact or have a relationship to the concept of bilingual education or to the target population" (Bitscoechea, 1980).

Whether or not federal funds are made available to support state leadership in bilingual education, a related option for this program would be to permit states with high levels of commitment to bilingual education to exercise somewhat greater flexibility in their use of Title VII funds than might otherwise be allowed. In this study, we observed that such a commitment is associated with SEA capacities that could potentially fulfill a wider role. States that have demonstrated their concern for the education of LEP students through state funding and the enforcement of state laws might be permitted to use their Title VII funds for activities such as the following:

- Administration of state laws and funding provisions intended to benefit LEP students;

- Provision of assistance to IHE programs of bilingual teacher training; and

- Monitoring and enforcement of compliance with Title VII requirements for local grantees.

Finally, our research findings highlight another goal that is important to the SEA grantees in this program. In their view, the technical assistance network whose services SEAs coordinate should provide reasonable coverage of all major technical assistance needs of LEAs and should reflect a coherent organization. The ability of SEAs to coordinate technical assistance is obviously increased by a more effective and well-organized system of technical assistance in bilingual education.

Steps SEAs Can Take To Fulfill These Goals

SEAs can choose from among several approaches in improving their programs of technical assistance coordination. For example, they can improve their channels of communication, such as newsletters and memoranda, and they can hold more and better workshops on issues of high priority to LEAs. Any of these approaches will be more effective in states that take active responsibility for the provision of high-quality educational services to LEP students. Irrespective of federal funding opportunities under Title VII, improvement in the delivery of educational services to LEP students is essentially a state and local responsibility. Given constraints on the growth in federal spending, that situation is not likely to change.

Growth and improvement in state responsibilities can be achieved in several ways. This report has discussed the importance of increased state commitment to the provision of state financial support and the enforcement of state laws assisting LEP students. In addition, states can improve the education of LEP students by integrating the concerns of LEP students throughout the state education program. Examples of SEAs doing this were witnessed in efforts to improve the coordination of services to LEP students who are handicapped. Another example observed

was that of states integrating foreign language instruction and bilingual education through increased state-level emphasis on "second language acquisition." These SEA efforts tend to increase general awareness of the educational needs of LEP students while also making bilingual education a more central component of local educational programs.

Another area in which SEAs can exert leadership to good effect is in their relations with IHEs in the area of bilingual education. The study indicated wide variation among SEAs in their levels of coordination with IHEs within their states. In general, states that required bilingual certification for teachers of LEP students tended to exhibit more active coordination with IHEs. SEAs without active coordination with IHEs perceived that their programs would be stronger if they had better coordination with those institutions.

Steps the Federal Government Can Take To Improve SEA Operations Under Title VII

Examined at the broadest level, Title VII support to SEAs is likely to be most effective in states that have made the greatest state-level commitment to the education of LEP students. In these states, the SEA's efforts in coordinating technical assistance are likely (a) to build upon the SEA's stature as an advocate for the education of LEP students and (b) to draw upon the technical assistance capacities of the SEA.

At present the Title VII grant program to SEAs makes no distinction between states that have exhibited such commitment and those that have not. Because any such distinction would require legislative change, we realize it would require considerable review and debate. Nevertheless, if the option is judged to have merit, possible criteria for the assessment of state commitment in this area could include the following:

- Existence and enforcement of state law requiring special educational services for LEP students;

- Special state funding for services to LEP students; and

- Requirement that teachers of LEP students be specially certified (or endorsed).

As an incentive to states exhibiting commitment in one or more of these areas, the SEA grant authority under Title VII could be amended to permit qualifying SEAs to carry out additional activities, such as the three listed earlier in this section (i.e., administration of state provisions for LEP students, provision of assistance to IHE bilingual programs, and Title VII monitoring and enforcement).

One member of the study team believes that SEAs need a threshold level of funding to enable them to carry out basic activities that would benefit LEP students in their states. One reason is that SEAs receiving very small grants have some of the same administrative tasks as do SEAs with large grants; these include proposal writing, grant negotiating, perhaps some out-of-state travel, conferring, delegating, and coordinating activities. A second reason is that in SEAs receiving very small grants, the major area of responsibility for the "bilingual education" office often lies outside of Title VII-related affairs, and perhaps outside LEP student concerns. When the Title VII grant is not sufficient to fund one FTE, and when few or no state funds are provided for SEA activities in bilingual education, the people responsible for the Title VII grant to the SEA may be primarily concerned with foreign language studies, multicultural education, migrant education, vocational education, or equity education. In the view of this researcher, if the federal government wishes to guarantee that its interests are represented in seeing that LEP students are afforded equal education opportunities, it must provide sufficient money to fund an overseer.

Another type of step that could be taken at the federal level would be to make certain marginal improvements in the Title VII network of technical assistance providers. In this report we have described the problems reported by SEAs and LEAs in the new contractual structure for the BEMSCs. Respondents from virtually all SEAs and LEAs expressed concern over the rigidity of the new structure. OBEMLA should take a careful look at that system and determine whether greater flexibility could be re-introduced to permit the BEMSCs to respond to unanticipated state and local needs.

If OBEMLA wishes to minimize administrative burden imposed by the Title VII SEA grant program, it could consider a simplification of current grant application procedures for SEAs. At present, SEA applications are rated against qualitative criteria, thereby requiring SEAs to prepare lengthy descriptions and justifications for their proposed activities. Grants are awarded, however, on a formula basis to all SEA applicants submitting applications and achieving a minimum score of 50. OBEMLA could consider dropping the qualitative rating of SEA applications and requiring only a brief program narrative from applicants. Alternatively, it could rely more heavily on the ratings to determine grant amounts.

APPENDICES

APPENDIX A

Listing of SEAs Funded and Years of Grant Award Approval Received, 1983

Alaska	One year grant
Arizona	3rd year of 3-year grant
California	2nd year of 3-year grant
Colorado	3rd year of 3-year grant
Connecticut	3rd year of 3-year grant
Florida	3rd year of 3-year grant
Georgia	One year grant
Hawaii	2nd year of 3-year grant
Idaho	One year grant
Illiois	One year grant
Indiana	One year grant
Iowa	One year grant
Kansas	One year grant
Kentucky	One year grant
Louisiana	3rd year of 3-year grant
Maine	2nd year of 3-year grant
Maryland	3rd year of 3-year grant
Massachusatts	2nd year of 3-year grant
Michigan	1st year of 3-year grant
Minnesota	One year grant
Montana	3rd year of 3-year grant
Nevada	One year grant
New Jersey	2nd year of 2-year grant
New Mexico	1st year of 3-year grant
New York	1st year of 3-year grant
North Carolina	One year grant
Ohio	One year grant
Oklahoma	1st year of 2-year grant
Oregon	One year grant
Pennsylvania	1st year of 3-year grant
Rhode Island	1st year of 3-year grant
South Dakota	One year grant
Tennessee	2nd year of 3-year grant
Texas	One year grant
Utah	1st year of 2-year grant
Vermont	One year grant
Virginia	One year grant
Washington	One year grant
Wisconsin	1st year of 3-year grant
Wyoming	One year grant
Puerto Rico	3rd year of 3-year grant
Trust Territories	2nd year of 3-year grant

APPENDIX B

Key Features of State Bilingual Education Legislation

	Alabama	Alaska	Arizona	Arkansas	California	Colorado	Connecticut	Delaware	District of Columbia
Type of Legislation	—	M[1]	P[2]	—	M	P	M	—	—
Language Maintenance Program		X							
Transitional Program		X	X		X	X	X		
ESL Program		X	X			X	X		
Provision of LEP Status		X	X		X	X	X		
Entry Tests		X	X		X	X	X		
Exit Tests		X	X		X	X	X		
Yearly Evaluation of Students		X	X		X	X	X		
Participation of Monolingual English Speakers			X		X				
Prohibition of Segregation of Students			X		X	X	X		
Cultural Component		X			X				
Outline of Methodology		X			X				
Teacher Certification for Bilingual Education			X		X			X	X
Teacher Certification for ESL								X	X
Staff Development-Financial Assistance		X	X		X				
Bilingual Teacher Aides-Career Ladder Program									
Parent/Community Involvement		X	X		X				
Use of Community Coordinators			X						
Parental Consent for Student Enrollment		X	X		X	X	X		
Availability of State Funds		X			X	X			

[1]Mandatory legislation
[2]Permissive legislation

	Florida	Georgia	Hawaii	Idaho	Illinois	Indiana	Iowa	Kansas	Kentucky
Type of Legislation	—	—	—	—	M	M	M	P	—
Language Maintenance Program									
Transitional Program					X	X	X	X	
ESL Program							X		
Provision of LEP Status					X				
Entry Tests									
Exit Tests									
Yearly Evaluation of Students					X	X	X		
Participation of Monolingual English Speakers					X	X	X		
Prohibition of Segregation of Students					X				
Cultural Component					X	X	X		
Outline of Methodology									
Teacher Certification for Bilingual Education	X				X	X		X[3]	
Teacher Certification for ESL	X		X	X[3]				X[3]	X[3]
Staff Development-Financial Assistance					X				
Bilingual Teacher Aides-Career Ladder Program									
Parent/Community Involvement					X	X	X		
Use of Community Coordinators							X		
Parental Consent for Student Enrollment					X	X	X		
Availability of State Funds					X			X	

[3]Legislation under development

	Louisiana	Maine	Maryland	Massachusetts	Michigan	Minnesota	Mississippi	Missouri	Montana
Type of Legislation	—	P	—	M	M	P	—	—	—
Language Maintenance Program									
Transitional Program		X		X	X	X			
ESL Program				X		X			
Provision of LEP Status				X	X	X			
Entry Tests					X	X			
Exit Tests					X	X			
Yearly Evaluation of Students				X	X	X			
Participation of Monolingual English Speakers				X					
Prohibition of Segregation of Students				X		X			
Cultural Component				X	X				
Outline of Methodology									
Teacher Certification for Bilingual Education				X	X				
Teacher Certification for ESL	X			X					
Staff Development-Financial Assistance									
Bilingual Teacher Aides-Career Ladder Program									
Parent/Community Involvement				X	X	X			
Use of Community Coordinators				X					
Parental Consent for Student Enrollment				X		X			
Availability of State Funds				X	X	X			

	Nebraska	Nevada	New Hampshire	New Jersey	New Mexico	New York	North Carolina	North Dakota	Ohio
Type of Legislation	—	—	P	M	P	M	—	—	—
Language Maintenance Program					X				
Transitional Program				X	X	X			
ESL Program				X	X				
Provision of LEP Status					X	X			
Entry Tests				X	X	X			
Exit Tests				X	X	X			
Yearly Evaluation of Students				X	X	X			
Participation of Monolingual English Speakers				X	X				
Prohibition of Segregation of Students				X					
Cultural Component				X	X				
Outline of Methodology									
Teacher Certification for Bilingual Education			X	X	X	X			X
Teacher Certification for ESL	X	X	X	X	X	X	X[3]		X
Staff Development-Financial Assistance									
Bilingual Teacher Aides-Career Ladder Program									
Parent/Community Involvement				X	X				
Use of Community Coordinators									
Parental Consent for Student Enrollment					X				
Availability of State Funds				X	X	X			

[3]Legislation under development

	Oklahoma	Oregon	Pennsylvania	Rhode Island	South Carolina	South Dakota	Tennessee	Texas	Utah
Type of Legislation	—	P	—	M	—	P	—	M	P
Language Maintenance Program									X
Transitional Program		X		X				X	X
ESL Program				X		X		X	X
Provision of LEP Status				X				X	X
Entry Tests				X				X	X
Exit Tests				X				X	
Yearly Evaluation of Students				X				X	X
Participation of Monolingual English Speakers								X	X
Prohibition of Segregation of Students								X	
Cultural Component								X	X
Outline of Methodology		X							X
Teacher Certification for Bilingual Education				X				X	
Teacher Certification for ESL				X			X[3]	X	X
Staff Development-Financial Assistance								X	X
Bilingual Teacher Aides-Career Ladder Program									
Parent/Community Involvement				X				X	X
Use of Community Coordinators									X
Parental Consent for Student Enrollment								X	X
Availability of State Funds				X				X	X

[3]Legislation under development

	Vermont	Virginia	Washington	West Virginia	Wisconsin	Wyoming	American Samoa	Guam	Mariana Islands
Type of Legislation	—	—	M	—[4]	M	—	P	—	X[3]
Language Maintenance Program									
Transitional Program			X		X				
ESL Program			X						
Provision of LEP Status			X		X				
Entry Tests			X						
Exit Tests			X						
Yearly Evaluation of Students			X		X				
Participation of Monolingual English Speakers					X				
Prohibition of Segregation of Students					X				
Cultural Component									
Outline of Methodology					X				
Teacher Certification for Bilingual Education			X		X		X	X	
Teacher Certification for ESL		X			X			X	
Staff Development-Financial Assistance									
Bilingual Teacher Aides-Career Ladder Program									
Parent/Community Involvement									
Use of Community Coordinators									
Parental Consent for Student Enrollment					X				
Availability of State Funds			X		X				

[3]Legislation under development
[4]Prohibits teaching in a non-English language

	Puerto Rico	Trust Territories	Virgin Islands
Type of Legislation	—	—	M
Language Maintenance Program			
Transitional Program			X
ESL Program			
Provision of LEP Status			X
Entry Tests			
Exit Tests			
Yearly Evaluation of Students			
Participation of Monolingual English Speakers			
Prohibition of Segregation of Students			
Cultural Component			X
Outline of Methodology			
Teacher Certification for Bilingual Education	X[3]		
Teacher Certification for ESL	X		
Staff Development-Financial Assistance			
Bilingual Teacher Aides-Career Ladder Program			
Parent/Community Involvement			X
Use of Community Coordinators			
Parental Consent for Student Enrollment			X
Availability of State Funds			

[3]Legislation under development

Source: Predaris, T. G. (1982). Guide to State Education Agencies 1981-82. Rosslyn, VA: NCBE.

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